

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:98-cr-59

v.

HON. JANET T. NEFF

JOSEPH BENJAMIN TAYLOR, III,

Defendant.

MEMORANDUM OPINION AND ORDER

Defendant Joseph Benjamin Taylor, III has filed a motion for modification or reduction of sentence (Dkt 214) pursuant to 18 U.S.C. §3582(c)(2) on the basis of Amendment 782 of the United States Sentencing Guidelines, made retroactive by the Sentencing Commission. The U.S. Probation Department filed a Sentence Modification Report (Dkt 220) finding defendant eligible for the reduction. Defendant has filed a Response (Dkt 222) and the Government has also filed a Response (Dkt 223).

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 782 of the United States Sentencing Guidelines reduced by two levels the offense levels assigned to the quantities that trigger the statutory mandatory minimum penalties in U.S.S.G. §§ 2D1.1 and 2D1.11. These modifications were made retroactive effective November 1, 2014. U.S.S.G. § 1B1.10.

Having fully considered the Sentence Modification Report (Dkt 220) and the Responses (Dkts 222 and 223), the Court has determined that defendant is eligible to a reduction of sentence

pursuant to the policy statements of the U.S. Sentencing Commission. Defendant's sentence is reduced to 240 months, with an effective date of November 1, 2015.

Therefore, IT IS HEREBY ORDERED that Defendant's motion for modification of sentence (Dkt 214) pursuant to 18 U.S.C. § 3582(c)(2) is GRANTED.

DATED: September 22, 2015

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge